## BEFORE THE PERSONNEL APPEALS BOARD

2	STATE OF WASHINGTON	
3	GARY HILBERG,	)
4	Appellant,	) Case No. ALLO-00-0022
5	v.	ORDER OF THE BOARD FOLLOWING
6 7	DEPARTMENT OF SOCIAL AND HEALTH SERVICES,	HEARING ON EXCEPTIONS TO THE DETERMINATIONS OF THE DIRECTOR
8	Respondent.	ý )
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10	<b>Hearing on Exceptions.</b> Pursuant to RCW 41.64.060 and WAC 358-01-040, this appeal cam	

**Hearing on Exceptions.** Pursuant to RCW 41.64.060 and WAC 358-01-040, this appeal came on for hearing before the Personnel Appeals Board, LEANA D. LAMB, Member. The hearing was held on March 27, 2001, in the Personnel Appeals Board hearing room in Olympia, Washington. GERALD L. MORGEN, Vice Chair, reviewed the record and participated in the decision in this matter. WALTER T. HUBBARD, Chair, did not participate in the hearing or in the decision in this matter.

**Appearances.** Appellant Gary Hilberg was present and was represented by Michael Hanbey, Attorney at Law of Ditlevson, Rodgers, Hanbey and Dixon, P.S. Respondent Department of Social and Health Services (DSHS) was represented by Pam Pelton, Classification and Compensation Manager.

**Background.** As a result of a class study, the Washington State Personnel Resources Board (PRB) adopted revisions to the information technology classes. The classifications and salaries were adopted effective July 1, 1999. Appellant's position was reallocated to the new Information Technology Systems Applications (ITAS) 4 classification, effective July 1, 1999. Reggie Taschereau, Personnel Manager, informed Appellant of his reallocation by letter dated June 30, 1999.

Personnel Appeals Board 2828 Capitol Boulevard Olympia, Washington 98504 By letter dated July 29, 1999, Appellant appealed to the Director of the Department of Personnel (DOP). Appellant requested that his position be reallocated to the Information Technology Applications Specialist (ITAS) 5 classification.

On April 5, 2000, the DOP Director's designee, Paul Peterson, conducted an allocation review of Appellant's position. By letter dated June 6, 2000, Mr. Peterson determined that Appellant's position was properly allocated to the ITAS 4 classification. On June 23, 2000, Appellant appealed the Director's determinations to the Personnel Appeals Board. On August 10, 2000, Appellant provided his specific exceptions. Appellant's exceptions are the subject of this proceeding.

Appellant supervises technical staff in the LANS Applications Unit of Respondent's Finance Division Information Technology Office. Appellant is responsible for all computer related tasks for the LAN system.

Summary of Appellant's Argument. Appellant contends that Respondent utilized a CQ process that was in violation of the DOP and merit system procedures; that Respondent failed to implement salary increases approved by SSB 6767 before allocating his position; that Respondent failed to apply the allocation "cross-walk" intended to be used in conjunction with the new information technology classes; and that the agency applied arbitrary, agency-dependent allocation criteria contrary to the intent of civil service management principles and the intent of the PRB. Appellant disagrees with director's designee's finding that the intent of the class study was to enhance the discretion permitted to agencies through delegated allocation decision-making authority.

Appellant argues that the Finance Division is a major component of DSHS and that he functions as a project leader for projects with large, critical impact to the agency. Appellant contends that he functions as a technical specialist and is responsible for major applications and projects that impact a critical agency program. Appellant asserts that his position should be allocated to the ITAS 5 classification.

Summary of Respondent's Argument. Respondent argues that the process used to update Appellant's CQ ensured that the duties of his position were accurately described and that Appellant did not dispute the duties described in his updated CQ. Respondent asserts that the class specifications and salary increases were adopted by the PRB to be effective on July 1, 1999, which is the effective date of Appellant's reallocation. Respondent asserts that the "cross-walk" document was a guideline provided by DOP and was not an allocating criteria adopted by the PRB. Respondent contends that the agency has delegated allocating authority and that they consistently interpreted and applied the specifications in a manner consistent with the intent of the PRB. Respondent further contends that the purpose of the class study was to update the specifications to reflect current duties and responsibilities, to relieve recruitment and retention problems, and to give each agency flexibility in the use of the classes.

Respondent argues that Appellant works solely in support of the Finance Division which is not a major, mission critical division and that his duties and responsibilities are not critical to the fulfillment of the agency's overall mission. Rather, Respondent asserts that the Finance Division is a moderate function that does not have a critical impact on the mission of the agency. Respondent asserts that applications are considered low risk and do not constitute a vital service to DSHS client's and the public. Therefore, Respondent argues that Appellant's position is properly allocated to the ITAS 4 classification.

**Primary Issue.** Whether the Director's determination that Appellant's position was properly allocated to the Information Technology Applications Specialist 4 classification should be affirmed.

**Relevant Classifications.** Information Technology Applications Specialist 4, class code 03294, and Information Technology Applications Specialist 5, class code 03295.

**Decision of the Board.** Appellant raises a number of issues that are outside of the allocation process. For example, Appellant challenges the intent and process used for implementation of the class study and resulting salary increases, and challenges the criteria used by the agency in making their allocation decisions. These issues fall outside of the purpose of an allocation review which is to determine which classification best describes the overall duties and responsibilities of Appellant's position.

A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class which best describes the overall duties and responsibilities of the position. <u>Liddle-Stamper v. Washington State University</u>, PAB Case No. 3722-A2 (1994).

Position allocations are "based upon an investigation of duties and responsibilities assigned and/or performed and other information and recommendations." (WAC 356-20-200). To assist agencies with implementing the class study, DOP created a "cross-walk" guideline. This document is not, nor was it intended to be, an allocating criteria for the Information Technology Class Study.

Because a current and accurate description of a position's duties and responsibilities is documented in an approved classification questionnaire, the classification questionnaire becomes the basis for allocation of a position. An allocation determination must be based on the overall duties and responsibilities, as documented in the CQ. <u>Jacobson v. Dept of Ecology</u>, PAB No. ALLO 99-0004 (2000).

In this case, Appellant's CQ was changed after Appellant completed it. Subsequent to the changes, Appellant signed the CQ. While we do not support using a CQ that has not been completed by an incumbent to allocate a filled position, Appellant has failed to show that the CQ used to allocate his position did not describe his duties and responsibilities.

1 2 3 4 5 At the ITAS 5 level, incumbents are professional, technical specialists whose positions focus on and 6 7 8 9 10

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In determining the proper allocation of Appellant's position, we have considered the duties and responsibilities assigned and/or performed by Appellant in comparison to the existing classification specifications. Although we did not base our decision on the allocating criteria developed by the agency, their criteria appears to be consistent with the intent of the language adopted by the PRB.

are responsible for agency-level, large-scale applications, projects or databases that have high risk and impact. Incumbents at this level utilize broad technical knowledge in analyzing, consulting, designing, programming, maintaining, or supporting major applications, support products, projects, databases or database management systems. Incumbents at this level usually supervise or lead others.

The majority of Appellant's area of responsibility does not have the level of impact intended to be encompassed by the ITAS 5 classification. Appellant's duties and responsibilities are confined to a Appellant is not responsible for agency-level, large-scale single division of the agency. applications that impact an agency critical program.

At the ITAS 4 level, incumbents perform senior, professional level duties with a focus on system specific applications, rather than agency-wide applications, and are responsible for "multiple applications of moderate size/complexity or a large, major application that is vital to program delivery." In addition, incumbents are required to have an awareness of impact across business units and incumbents may supervise other staff.

Appellant's position is best described by the ITAS 4 classification. He supervises staff and is responsible for moderate risk applications that impact approximately 250 staff members of the financial division. Appellant is responsible for the applications that are vital to the programs the LANS Applications Unit delivers to the division. These duties and responsibilities are encompassed by the ITAS 4 classification.

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2	Conclusion. Appellant's appeal on exceptions should be denied and the determination of the		
3	Director, dated June 6, 2000, should be affirmed.		
4	ORDER		
5	NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Appellant		
6	denied and the Director's determination, dated June 6, 2000, is affirmed and adopted. A copy is		
7	attached.		
8	DATED this day of		
9	DATED this, 2001.		
10	WASHINGTON STATE PERSONNEL APPEALS BOARD		
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13	Geraid E. Worgen, vice, Chan		
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15	Leana D. Lamb, Member		
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